

STATE CODES AND STANDARDS COMMITTEE
AGENDA

August 12, 2015
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1. CALL TO ORDER
2. ATTENDANCE
3. APPROVAL OF MINUTES OF JUNE 10, 2015 MEETING
4. COMMUNICATIONS

<u>SUBJECT & DATE RECEIVED</u> (mm/dd/yy)	<u>FROM - TO</u>	<u>DESCRIPTION</u>
a. Correspondence 6/17/15	Alfred Xhuti C & S	A-1-15. Correspondence re appeal of Alfred Xhuti re Waterbury Fire Marshal's decision re 359-361 Highland Avenue, Waterbury, CT
ACTION: <u>See section Appeal Hearings 8.f.</u> <u>On 6/17/15 appellant withdrew appeal</u>		
b. Correspondence 6/19/15	George McGoldrick C&S	A-5-15. Correspondence re appeal of George McGoldrick re Deputy State Building Inspector's decision re M-317-15 re Stay Fresh Foods, 65 Chamberlain Highway, Meriden, CT
ACTION: <u>See section Appeal Hearings 8.j.</u> <u>On 6/19/15 appellant withdrew appeal</u>		

c. Correspondence
8/7/15

Melody Currey, DAS
Commissioner
C&S

Correspondence re updating state
regulations

ACTION: _____

5. SUBCOMMITTEE REPORTS:

a. Codes Amendment Subcommittee:

This subcommittee met on June 10, 2015 and July 8, 2015. Next meeting will be on August 12, 2015.

b. Ethics/Procedural Regulations Subcommittee:

6. OLD BUSINESS

7. NEW BUSINESS

a. Staff Report

b. Fire Prevention Code Advisory Committee (Harwood)

c. Joint Building Code Training Council (Musco)/Fire Marshal Training Council (Harwood)

d. Report on Bills

8. APPEAL HEARINGS

- a. **A-28-11. Appeal from Steven Edelman re Acting State Building Inspector's decision re 29-252(d) re Town of Windham Building permit application re 202 Scotland Road, Windham, CT.** John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson and Marjorie Shansky are recused. **Panel consists of Henry Miga, Panel Chair; Anthony Bruno and George Iskra. David McKinley will be the alternate.** Panel will review 29-252(d) as it applies to this appeal. If panel determines aggrievement, then appeal hearing may immediately follow to consider the merits of this appeal. Hearing set for June 16, 2014, was not held; on 6/12/14 appellant requested postponement. Aggrievement hearing set for November 12, 2014 was not held; on 11/10/14 appellant requested postponement. Hearing was held and closed on February 4, 2015. The parties were given 7 working days [until February 17, 2015] to submit briefs. **On 2/17/15 received Motion for Continuance and CGS 29-262(d) Petition from appellant. Deliberations were held on 4/8/15. Decision will be sent out within 90 days [by 7/8/15]. Decision was sent out on 6/30/15.**
- b. **A-8-14. Appeal from Joe Asklar re State Building Inspector's decision re 350/356 North Main Street, Marlborough, CT.** Panel consists of Henry Miga, Panel Chair; William Zoeller and George Iskra. Thomas DiBlasi will be the alternate. Hearing was set for Wednesday, September 10, 2014 at 11:00 in room G38. On 9/2/14 correspondence received from appellant requesting postponement; Lawrence Stannard, Marlborough Building Official, granted appellant a 30 day extension (until 10/8/14). Hearing was held on November 12, 2014. **Decision will be sent out within 90 days [by 2/12/15.] On 6/17/15 decision was sent out.**
- c. **A-10-14. Appeal from Bruce Spiewak re State Fire Marshal's decision re FM-0263-14 re Sandy Hook School, Building 2, 12 Dickinson Drive, Newtown, CT. Appeal panel was not set.** On 10/8/14 appellant requested appeal be tabled until the November meeting. **On 12/10/14 appellant requested this appeal be postponed until a draft determination is made by the Codes Amendment Subcommittee re what parts of Chapter 10 (Fire Code and Building Code) will be recommended for approval. Reason for modification denial stated in part that, "C&S had not addressed that section of the code yet."**
- d. **A-11-14. Appeal from Harry Narine re Waterbury Fire Marshal's decision re 269 Wilson Street, Waterbury, CT.** Panel consists of Michael Sinsigalli, Panel Chair; Anthony Bruno and Donald Harwood. Fred Wajcs, Jr. will be the alternate. On 11/18/14 forwarded to the Office of the State Fire Marshal (OSFM) for review. On 11/19/14 additional information received from appellant. On 12/9/14 correspondence received from Chuck Kiessling, OSFM, requesting appeal be tabled for 30 days [until January 14, 2015]. On 2/9/15 correspondence received from Chuck Kiessling, OSFM. On 3/4/15 correspondence received from Chuck Kiessling, OSFM,

indicating appellant wishes to pursue the appeal. There may be a timeliness issue related to this appeal. If good cause is shown, then an appeal hearing may immediately follow. **Timeliness and appeal hearing were held on April 8, 2015. On 4/9/15 certified letter sent to appellant advising that briefs are to be filed by 5/6/15. On 4/13/15 briefs received from appellant. On 5/4/15 briefs received from Lt. Ballou, Waterbury Fire Department. Deliberations set for 5/13/15 were postponed; on 5/11/15 panel member requested deliberations be postponed due to schedule conflict. Deliberations were held on 6/10/15. Decision will be sent out within 90 days [by 9/10/15.]**

- e. **A-12-14 (A&B). Request for appeal from Natalie Huey Min Lee re**
 - A) **Norwich Building Official and**
 - B) **Norwich Fire Marshal decisions re 270 Broadway, Norwich, CT****Panel consists of Keith Flood, Panel Chair; *David McKinley and Henry Miga. Paul Costello will be the alternate. *Due to schedule conflict on 6/10/15, Paul Costello will serve and David McKinley will be the alternate. On 1/9/15 appellant requested postponement pending review from her consultant. On 2/24/15 certified letter sent to appellant requesting her to respond, in writing by 3/9/15, clearly stating what issues she is appealing. On 2/11/15 correspondence received from appellant providing additional information and advising she no longer has a consultant. On 2/24/15 certified letter sent to appellant requesting clarification of what she is appealing and to respond in writing by 3/9/15. On 3/9/15 additional information and correspondence received from appellant. **There may be an issue of timeliness re A-12-14(B). On 3/16/15 appellant's code change proposal was forwarded to the Codes Amendment Subcommittee. On 3/11/15 additional information received from appellant. The hearing set for 5/13/15 was rescheduled to 5/15/15 due to schedule conflict of a panel member. On 5/11/15 appellee, James Roberts, requested postponement of the hearing set for 5/15/15. Hearing was rescheduled and held on 6/10/15. Decision will be sent out within 90 days [by 9/10/15.]****
- f. **A-1-15. Request for appeal from Alfred Xhuti re Waterbury Fire Marshal's decision re 359-361 Highland Avenue, Waterbury, CT. No panel was set. On 2/4/15 additional information received from appellant. On 2/11/15 referred to the Office of the State Fire Marshal (OSFM). On 5/15/15 status letter sent to OSFM. On 5/20/15 information received from OSFM re corrective action being taken at the property. On 6/16/15 certified letter sent to appellant requesting status of appeal and to respond in writing by 6/30/15. On 6/17/15 appellant withdrew appeal.**
- g. **A-2-15. Request for appeal from Max Case, Esq., re Milford Building Official's decision re 354 Woodmont Road, Unit 3 & 4, Milford, CT. Panel consists of Glenn Neilson, Panel Chair; Louis Free and Fred Wajcs, Jr. Carlton Smith will be the alternate. Hearing set for March 11, 2015 was not held; on 2/23/15 appellant requested postponement. On 3/4/15 correspondence received from Attorney Jonathan Berchem, Milford City Attorney, requesting file copies. Hearing was**

rescheduled and held on 4/8/15. Decision will be sent out within 90 days [by 7/8/15].

- h. A-3-15. Request for appeal from Heather Van Deusen re Office of State Building Inspector and Office of Protection and Advocacy's decision re W-78-14 re H. H. Ellis Technical High School, 613 Upper Maple Street, Danielson, CT.** Panel consists of John Butkus, Panel Chair; Louis Free and Robert Hanbury. Fred Wajcs, Jr. will be the alternate. **On 3/24/15 additional information received from appellant. On 5/11/15 additional information received from appellant. Hearing held on 5/13/15. Decision will be sent out within 90 days [by 8/13/15.]**
- i. A-4-15. Request for appeal from William Letson re State Fire Marshal's decision re FM-0046-15 re Voluntown Elementary School, 195 Main St., Voluntown, CT.** *Panel consists of Donald Harwood, Panel Chair; Michael Sinsigalli and Carlton Smith. Louis Free will be the alternate. *Due to schedule conflict on 6/10/15, panel revised to: Michael Sinsigalli, Panel Chair; Carlton Smith and Henry Miga. On 3/11/15 correspondence received from appellant. **Hearing set for 5/13/15 was postponed due to schedule conflict of panel member. Hearing was held on 6/10/15. Decision will be sent out within 90 days [by 9/10/15.]**
- j. A-5-15. Request for appeal from George McGoldrick re Deputy State Building Inspector's decision re M-317-15 re Stay Fresh Foods, 65 Chamberlain Highway, Meriden, CT.** Panel consists of Louis Free, Panel Chair; Donald Harwood and Michael Sinsigalli. Carlton Smith will be the alternate. **Hearing set for 7/8/15 was cancelled; on 6/19/15 appellant withdrew appeal.**
- k. C-1-15. Complaint request from Steven Edelman re CGS 29-262(d) petition re license revocation of Henry Miga. On 5/13/15 referred to the Office of the State Fire Marshal (OSFM) for investigation. On 6/5/15 investigative report received from Terry Brouwer, OSFM. John Butkus, Louis Free, Robert Hanbury, Donald Harwood, Michael Musco, Glenn Neilson, and Henry Miga are recused. On 6/10/15 conclusion of investigative report was read. Motion to dismiss petition was made and seconded. All in favor. None opposed. 3 abstentions: Free, Harwood, Miga. Motion carried. On 6/17/15 letter sent to Mr. Edelman advising same.**

9. GOOD OF THE ORDER

The next Codes and Standards Committee meeting is set for **September 9, 2015** and will be held in conference room (G38), at 165 Capitol Avenue, Hartford, Connecticut.

10. ADJOURNMENT

C&S\AG1508